

the day he was killed and identified the exact spot.

"We were walking very slowly and we met about half way from the well which divides the Folk flats from the adjoining property," she said. "Senator Carmack came swinging along. His eyes lighted up with a pleasant look of recognition as though he were about to stop and talk. We stopped together by mutual agreement, as it was. He was a little south of me. He raised his hat and held it, and was looking down into my eyes in a listening attitude. His hat was in his right hand, above his head, and a cigar in his left hand. I had begun a sentence and he was absorbed in it, when from behind me came a voice saying: 'Well, here you are. We have the drop on you, now!'"

"Did you see any one?"

"No, sir. The voice came from behind and very near to me."

"What did you do?"

"Nothing. I saw Mr. Carmack with his still raised, looking over his shoulder with a look of surprised inquiry. As he did so, he ran his right hand into his pocket and drew slowly a pistol. It seemed to catch. I put my hands to my face. Then the voice began again behind me, and it said: 'You cowardly scoundrel, hiding behind a woman's skirts, are you? Get out, you dastard!' When I saw the revolver I jumped to one side and turned."

"What position did the revolver occupy in the Senator's hand?"

"It was upside down; that is, he held it by the barrel."

The prosecutor sent for the revolver, and the witness gave a dramatic illustration of the Senator's position.

Recognized Cooper.

"I put up both hands," she said, "and jumped back like this. I heard the shot and turned. I thought I recognized Dr. White as the man with the revolver, and I screamed like this: 'My God! My God! Doctor, don't shoot! Oh, don't, don't, please don't do it!' I then recognized that it was Colonel Cooper. Then I shrank against the fence and saw young Cooper, and at the same time heard two other shots fire so rapidly that I thought they were simultaneous.

"Young Cooper was standing near me, his hands extended, as though in the act of firing a pistol. I was fearfully wrought up. Senator Carmack was lying in the gutter in a pool of blood, and I turned and denounced Colonel Cooper."

"What did you say?"

"I said he was a brutal murderer; that he had taken advantage of my presence to kill a man without giving him the chance of a dog; that I'd rather be the dead man in the gutter than to be him."

"What did the boy do then?"

"He walked over, looked down at Carmack's body for a minute, then walked to his father and put his arm around the latter. They walked away. Up to the time I went to the Folk flats I did not know that the son was implicated in the shooting."

The witness in answer to questions said that when Senator Carmack fell he still had the pistol by the barrel, upside down, clumsy in his hand. She also said that after the shooting Cooper put something into his pocket under his coat.

Witness at Ease.

After the noon recess General Washington began to cross-examine Mrs. Eastman. The witness was perfectly at ease. The questions were aimed to show that Colonel Cooper could see Senator Carmack draw his revolver and that as he did so Carmack stepped to one side so that she was directly between him and Colonel Cooper. "I think Mr. Carmack started towards the Carmack-Taylor campaign for Senator three years ago, during which he said he had heard John Sharp say:

"Since Carmack came into politics we have had nothing but trouble."

Another Long Fight.

Another long fight over the medical bill requiring preliminary education to qualify applicants to practice to stand the State examination ended in the House reversing its action of five days ago, when it adopted the Dowd amendment eliminating the educational qualification. It is believed there will be more opposition on third reading.

Mr. Morton introduced his threatened bill to lighten the prohibition law and guarantee its enforcement. It requires every individual keeping distilled liquors for personal use to pay a license tax of \$5 a year, allows common carriers to deliver shipments of such license by the consignee, and common carriers to report to the county authorities lists of persons receiving liquors, such lists to be published.

In Favorable Report.

The Senate Committee on Counties, Cities and Towns sprung a surprise on the lawmakers generally by declining to report favorably on a new county bill.

The hearing on the bill had been open some days ago, and it had been generally understood that favorable action was not to be taken as to any new county proposed. As it is, there is thought to be little prospect of the bill reaching the stage of ratification at this session.

BARRINGER WANTS CAPITOL REMOVED

Spring Joint Resolution, Which Is Treated as a Most Merry Joke.

[Special to The Times-Dispatch.] RALEIGH, N. C., February 16.—Senator Barringer, of Guilford, acting as he declared, in all seriousness, turned loose on the Senate a joint resolution looking to the removal of the Capitol from Raleigh to Greensboro. However, the Senators as a rule seemed to take the proposition anything but seriously, and there were amendments by Senators from various quarters of the State to have their respective towns designated as the seat of the State government. Senator Dockery wanted Rockingham; Senator Means Concord; Senator Fry Asheville; Senator Klutts Salisbury, and there were others.

Colonel Barringer declared in advocating his resolution that the State House is now miserably and indecently kept, in addition to being without modern equipment, which, indeed, in its present shape cannot be denied. He declared that he was really ashamed for his friends from other States to come to North Carolina while the Legislature was in session and see State House conditions. It crushed his State pride. The resolution went to the Committee on Propositions and Grievances.

HILL FOR SCHOOLS.

Senator Blow introduced a notable bill to provide a special tax that will give four months' schools in every school district of the State. The Klutts bill for a State law requiring adequate fire escapes for all buildings, public halls and theatres passed final reading with some minor amendments.

The Senate is to have its fight over the Barringer bill to make mileage good on trains without the mileage ticket on Thursday instead of Wednesday, the special order change having been made to-day.

The House passed the drainage bill finally in its second reading, 81 to 21, after voting down every amendment exempting various counties. The compromise substitute for the Hinsdale amendments to the committee bill as to labor of women and children in factories got through without division after some argument. It is understood that there will be no opposition in the Senate. It prohibits night work for girls under fifteen and all other children between the ages of twelve and thirteen are to act as helpers to older employees in mills only, provided they have attended school four months during the preceding session. It makes sixty-four hours a week's work, and empowers the Labor Commissioner, upon complaint from any one that the law is being violated, to delegate the sheriff of the county concerned to investigate and bring the guilty parties to justice. An amendment allows engineers, railroad and office men to work longer than the sixty-four hours even if under eighteen years.

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SEVERANCE QUITTS.

Captain of Harvard Crew Out on Account of Illness.

CAMBRIDGE, MASS., February 16.—Following the confirmation of the resignation of Captain William Roth Severance as captain of the Harvard Varsity crew, a meeting of all the men who rowed in the Varsity and substitute four-oared races last year at New London was held, and Elliott Carr Cutler, '93, was elected captain.

Cutter rowed No. 2 in the Varsity boat last year, after Fish had been disqualified. He prepared the boat for the Varsity School. In his freshman year at college he went to Red Top as a substitute with the freshman eight. Cutter, who lives in Brooklyn, is 5 feet 11 1/2 inches in height and weighs 161 pounds.

Severance's resignation was not unexpected. For several weeks he has been suffering from a rheumatic attack which had somewhat affected his heart. Because of his physical condition his closest friends felt that he would be unable to captain the crew this season. It was also known that while the rowing authorities at Harvard believed that ultimately Severance might recover sufficiently to be in condition to row in the Varsity shell later in the year, nevertheless they did not care to jeopardize the crew's chances of victory by keeping in the boat an oarsman who might collapse during the race with Yale, as did Griswold, the Yale stroke our at New London last June. Severance's illness dates from before Christmas. He has made plans to take a Southern trip before returning to Cambridge.

GENERAL WASHINGTON.—The bodies were too badly burned to be identified, with the exception of Southern Land and Improvement Company, investigate the conditions at Canoe Creek before acting on the petition from the company asking the privilege of using the lower part of the creek for an outlet for its sewer, and President Pender appointed Messrs. Broadbush and Gill as members of the committee from the Board. The committee will go over the ground with the company as soon as practicable.

The ordinance passed by the City Assembly, granting T. M. Carrington, the Ararat Coffee Company, and the Richmond Tobacco Storage Company the privilege of extending a side track from the Southern Railway tracks to their respective warehouses, was also concurred in. The work will be done under the supervision of the City Engineer and will be subject to the approval of the Street Committee. A number of ordinances were passed and the reports of all committees received and approved.

MEETING OF BOARD.

The Board of Aldermen last night concurred with the City Assembly in the resolution adopted by the committee, with the exception of the Southern Land and Improvement Company, to investigate the conditions at Canoe Creek before acting on the petition from the company asking the privilege of using the lower part of the creek for an outlet for its sewer, and President Pender appointed Messrs. Broadbush and Gill as members of the committee from the Board. The committee will go over the ground with the company as soon as practicable.

The condition of Thomas J. Weston, who was paralyzed last Saturday, remains about the same. He is expected to recover.

THE WEATHER.

Forecast: Virginia—Fair, colder Wednesday; Thursday fair; slightly warmer in west portion; moderate west winds.

North Carolina—Fair Wednesday; cold except in extreme west portion; fair, somewhat warmer in interior; moderate west winds.

Conditions Yesterday.

8 A. M. temperature..... 62
Humidity..... 96
Wind direction..... 8
Wind velocity..... 10
Weather..... Cloudy
Rainfall..... 0
12 noon temperature..... 62
3 P. M. temperature..... 71
Maximum temperature up to 5 P. M. 71
Minimum temperature up to 5 P. M. 65
Normal temperature..... 49
Excess in temperature yesterday..... 22
January 1..... 277
Accum. deficiency in rainfall since..... 0.44

CONDITIONS IN IMPORTANT CITIES.

S. P. M. Eastern Standard Time.

Place Ther. H. T. Weather

Ashville..... 32 58 Cloudy

Augusta..... 44 58 Cloudy

Baltimore..... 32 40 Rain

Buffalo..... 22 26 Rain

Chicago..... 24 30 Rain

Cincinnati..... 24 30 Rain

Davenport..... 22 24 Clear

Hartford..... 69 62 Rain

Jacksonville..... 60 65 Rain

Kansas City..... 20 25 Clear

Louisville..... 32 36 Rain

Pittsburgh..... 28 40 Rain

Raleigh..... 55 70 Rain

Norfolk..... 62 64 Rain

Tampa..... 55 62 Rain

Washington..... 46 70 Rain

Wilmingtton..... 55 66 Rain

Yellowstone..... 34 36 Rain

MINIATURE ALMANAC.

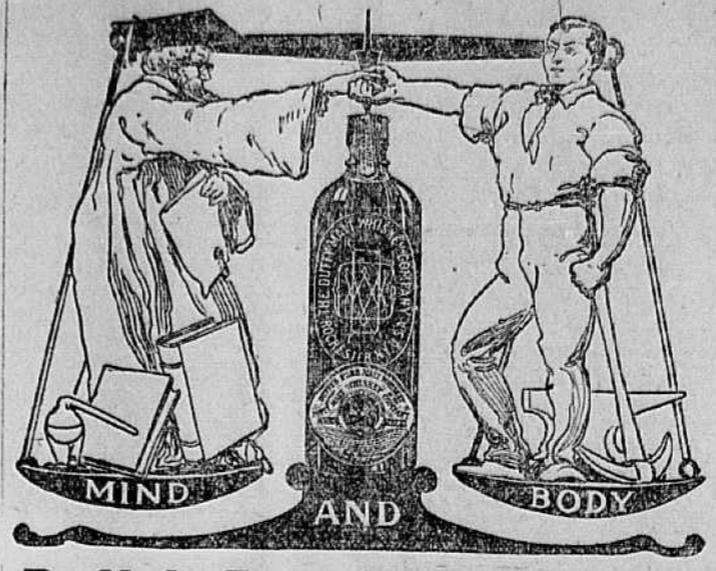
February 17, 1909.

Sun rises..... 6:38 AM HIGH TIDE

Sun sets..... 5:50 PM 2:13

Sun rises..... 4:27 Evening..... 2:25

BALANCES



Duffy's Pure Malt Whiskey

Provides that balance of mind and body so essential to every successful life. In these days of strenuous living we all occasionally feel the need of a medicine that will neutralize and kill the germs of disease and cause our minds and bodies to work in perfect harmony.

At such times Duffy's Pure Malt Whiskey comes to the rescue—it begins by providing and maintaining a perfect digestion.

Its rare purity and honest richness has won the friendship of the civilized world.

It is more than a medicine—it will keep you well.

GET THE GENUINE.

CAUTION.—When you ask your druggist, grocer or dealer for Duffy's Pure Malt Whiskey be sure you get the genuine. It's the only absolutely pure medicinal malt whiskey, and is sold in sealed bottles only—never in bulk. Look for the trade-mark, "Old Chemist," on the label, and make sure the seal over the cork is unbroken. Price \$1.00. Write Consulting Physician, Duffy Malt Whiskey Co., Rochester, N. Y., for illustrated booklet and free advice.

•News of the Southside•

Manchester Bureau: Times-Dispatch, No. 10 Hull Street.

Prefering six months in the "brig" to sleeping in the woods and eating at any time he could get anything to eat, Fred Brinkerman when arrested on Hull Street shortly after 12 o'clock yesterday by Officer Waymack, acknowledged that he was a deserter from the United States Army, and quietly submitted to arrest. He was utterly fatigued from a two weeks' debauch, and said that he had eaten nothing since 8 o'clock the morning before. Officer Waymack provided him with a dinner and carried him to jail, where at the usual meal time he put away another with much relish. Brinkerman told the officers that he enlisted from Wheeling, W. Va., more than a year ago and since that time, up to February 4, had been stationed at Fort Washington, Md. He and a companion left the fort and got on a spree, which lasted until their money gave out. They had overstayed their leave while drinking together, so decided to take permanent "French leave," and left Washington, intending to go to their homes.

REY. MR. MILES TO BE INSTALLED.

Rev. J. C. Miles, who was called to the pastorate of Clifton Street Baptist Church some months ago, will be formally installed Sunday afternoon at 3 o'clock. Those who will participate in the installation ceremony are Rev. J. T. Haley, of Steetton Street Baptist Church; Rev. J. W. Durham of Bathbridge Street Baptist Church; Rev. J. M. Bowland, of West End Methodist Church; J. W. Holt, superintendent of the Sunday school, and Professor Harris of Richmond. Special music will be rendered by the choir.

ELIJAH FISH CHARGED WITH KIDNAPING.

Elijah Lorraine Paul, the two-year-old daughter of Mr. and Mrs. G. F. Paul, of 1429 Bainbridge Street, died yesterday morning at 4 o'clock at the home of her parents. The funeral will be held from the home this afternoon at 3 o'clock. Interment will be in Maury Cemetery. This is the second child Mr. and Mrs. Paul have lost in the last six weeks.

MURDER CHARGED.

Charles Maurice, the two-year-old son of Mr. and Mrs. Maurice, who were married at the police station, pending Mayor Maurice's decision in the case this morning. According to the girl's father, the day before Maurice adopted her, he had gone to Richmond to visit his mother in Richmond. Sunday, it seems, he left his mother to Richmond for a visit, and when she hadn't returned yesterday morning, he drove out to see her. Maurice's father, Mrs. Martha, with whom she lives, said the child didn't want to return to her uncle.

PERSONAL & BRIEFS.

Mr. W. T. Norcom, of 525 Everett Street, who is suffering from a severe attack of appendicitis, was arrested by the police yesterday at 11 o'clock. Charles W. Swayne's condition remains about the same. The doctors entertain little hope for his recovery.

HENRY SHEPPARDSON.—Henry Shepperson, 20, of 1100 Franklin Street, was arrested yesterday by the police, charged with feloniously cutting Mattie Thomas.

The Teachers' Association of McRae High School, Chesterfield county, met yesterday morning at 11 o'clock. A large number of teachers were present.

The condition of Thomas J. Weston, who was paralyzed last Saturday, remains about the same. He is expected to recover.

The smokers held at the lounge rooms of the Hotel Commonwealth, 1100 Commonwealth, on the anniversary of the birth of George Washington, were largely attended. Several members made short addresses. Licking Creek, Fishing and Hunt Club, and the American Fox Hunting Club met near St. Louis on the Pennsylvania Avenue. The chase lasted until nearly midnight, and two foxes were captured.

The following marriage licenses have been issued by the Clerk of the City of Petersburg: Joseph C. Cox and Celeste E. Luck; Frank Mansfield and Maudie L. Moxy.

Miss Viola Morris and Albert Morris have returned from Keyesville, Va., where they had been visiting their relatives.

Mr. Robert M. Battle, of Prince George County, who has been on a visit to his mother, Mrs. S. Bassett French, returned to her home yesterday.

She is also survived by one sister and three brothers—Mrs. Sallie B. Thrift of Madison; Jesse L. Bowcock of Gaithersburg; John O. Bowcock of West Virginia, and William H. Bowcock, now of this city.

WILLIAM D. STICKLEY.

[Special to The Times-Dispatch.] STRASBURG, VA., February 16.—William D. Stickley, a lifelong resident of this